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13 CITY OF BURBANK

14
15 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
16 **COUNTY OF LOS ANGELES**

17 WILLIAM TAYLOR,
18 Plaintiff,

19 v.

20 CITY OF BURBANK and
21 DOES 1 through 100, inclusive,
22 Defendants.

Case No. BC 422252
Assigned to: Hon John L. Segal, Dept. 50

**DEFENDANT CITY OF BURBANK'S
PROPOSED VOIR DIRE QUESTIONS**

FSC Date: Feb. 29, 2012
FSC Time: 8:30 a.m.
Trial Date: March 5, 2012
Action Filed: Sept. 22, 2009

23
24 Defendant City of Burbank hereby submits its proposed voir dire questions for the Court
25 to inquire of prospective jurors, prior to attorney voir dire, in addition to making inquiry of the
26 venire of any knowledge of, or experience with, the names on the parties' joint witness list.
27 These matters or subjects include those outlined in the Standards of Judicial Administration
28 Section 8(c), tailored to some of the specific circumstances of this civil case.

1 1. Do any of you have any knowledge of, or experience with, any of the following
 2 parties, potential witnesses or other persons or companies that are involved in this case or that
 3 may be mentioned during the testimony:

4 Michael Albanese	Alex Gutierrez	James (J.J.) Puglisi
5 Mary Alvord	Jay Hawver	Robert Quesada
Brent Ambrose	Chris Hensley	Chris Racina
6 Tom Angel	Hagop Hergalian	Marsha Ramos
Amanda Antunez-Gutierrez	Justin Hess	Erika Reinke
Kathy Barcus	Chuck Howell	Chris Robarts
7 Ryan Benevidez	Carol Humiston	Elfego Rodriguez
Gary Bric	Travis Irving	Joel Rodriguez
8 Emil Brimway	Martha Jimenez	Omar Rodriguez
Adam Brubaker	Steve Karagiosian	Fernando Rojas
9 Teri Byrne	Sean Kelly	Eric Rosoff
Margarita Campos	Aaron Kendrick	Mitch Ross
10 Ron Caruso	Josh Kendrick	Nat Rubinfeld
Brenda Castaneda	Paul Kim, PhD	Ed Ruiz
11 Karel Castro	Krista Kipp	Darin Ryburn
Adam Cheng	Richard Kreisler	Tracy Sanchez
12 Jamal Childs	Dana Kristoff	Ken Schiffner
Denis Cremins	Scott LaChasse	Kerry Schilf
13 Angelo Dahlia	Sean Leoni, MD	Juli Scott
Joe De Ladurantey	Rubin Liscano	Bruce Slor
14 Tony De Santis	Claudio Losocco	Karen Smith
Armen Dermenjian	Janice Lowers	Tim Smith
15 Jonathan Dugas	Ann Lozano	Geoff Snowden
Jose Duran	Pat Lynch	Elise Stearns
16 Brent Dyrness	Mike Macias	Timothy Stehr
Jason Embleton	Cindy Magnante	Terry Stevenson
17 John Embleton	Stanley Majcher, MD	Stacy Straussenger
Gamer Eskandarian	Thor Merich	Ashley Sudbrook
18 Joe Farrow	Gavork Mirakian	Jess Talamantes
Matt Ferguson	Gerry Misquez	William Taylor
19 Michael Flad	Todd Mofford	Vic Thies
Joy Forbes	Irma Rodriguez Moises	Steve Turner
20 Kelly Frank	Scott Moody	Anthony Valento
Emily Gabel-Luddy	Fernando Munoz	Craig Varner
21 Henry Garay	Peter Mursurlian	Maricela Vega
James Gardiner	Nayiri Nahabedian	Mary Jo Watkins
22 Dave Golonski	Sherre Nakamura	David Weiner
Carlos Gomez	Marissa O'Brien	Judie Wilke
23 Brian Gordon	Gina Oh	Deborah Wilson
Dr. David Gordon	Paula Ohan	Stacie Wood-Levin
24 Kevin Grandalski	Paul Orłowski	Dan Yadon
Jennifer Guevara	Christina Ortega	Edmundo Zepeda
25 Cindy Guillen	Mike Parrinello	
Neil Gunn	Rick Penaranda	
26 Tina Gunn	Tommy Perez	

27 2. This case involves, among other things, a police department. We will probably have
 28 a number of witnesses in this trial who are or were police officers.

- 1 a. Are any of you police officers yourselves? Were you in the past?
- 2 b. Do any of you have family members, close friends, or neighbors who are or were
- 3 police officers?
- 4 c. Do any of you, or your family members, close friends, or neighbors work for a
- 5 police department or other law enforcement agency?
- 6 d. Have any of you applied for work at a police department?
- 7 e. Have any of you ever worked for, or applied for work at, any other type of
- 8 governmental entity?
- 9 f. Would your personal experience with those circumstances affect your ability to be
- 10 fair to either side in this case?
- 11 3. Have any of you had any contact or involvement, whether positive or negative, with
- 12 members of a law enforcement organization such as police, security, military, or otherwise?
- 13 a. If you would prefer to talk about that contact in private, let me know and we can
- 14 discuss it separately from other jurors.
- 15 b. Is there anything about that experience that would make you more likely to favor
- 16 one side or the other in this case?
- 17 4. Do any of you believe that in a court case, a law enforcement officer is more likely to
- 18 be truthful, or less likely to be truthful, because of his or her position?
- 19 5. Among other things, this trial involves allegations of the use of physical force by
- 20 police officers in the line of duty.
- 21 a. Have any of you had any experiences that involve the use of force by a police
- 22 officer against yourself, a family member, or a close friend or neighbor?
- 23 b. Have any of you (or to your knowledge a family member, close friend, or
- 24 neighbor) ever filed a citizen's complaint, claim or suit against a law enforcement
- 25 agency concerning the use of force against you or them?
- 26 6. Have any of you acted in the role of supervisor on a job where you gave a negative
- 27 performance review to another employee?
- 28 7. Have any of you been an employee whose supervisor gave you a negative

1 performance review?

2 8. Have any of you had to discipline a fellow employee for misconduct on the job?

3 a. Did you find that a difficult part of your job duties?

4 b. Did you conduct any type of investigation before deciding whether to discipline
5 the employee?

6 c. Did you use an investigator who was inside or outside of your company?

7 9. Have any of you been disciplined by a supervisor on the job?

8 a. If you would prefer to talk about that situation in private, let me know and we can
9 discuss it separately from other jurors.

10 b. Have any of you been fired from a job for alleged misconduct?

11 c. Is there anything about that experience that would make you more likely to favor
12 one side or the other in this case?

13 10. Are any of you members of a union (other than a credit union)? If so,

14 a. Are you or have you been an officer of the union?

15 b. Do you have any beliefs that unions are a positive or a negative influence in the
16 workplace?

17 c. Have any of you sought assistance from your union representative for a job-
18 related problem or concern?

19 11. If you are selected as a juror, your decision must be based on the evidence received
20 here in court and the law I will give you at the end of the case. I will be making certain orders
21 that prohibit you from making your own investigation of the facts outside of the courtroom, and
22 that prohibit you from speaking to anyone (even your family or close friends) about this case.

23 a. Will any of you have difficulty in following such orders in this case?

24 b. Will any of you be unable to refrain from going on the Internet or reading any
25 materials outside this courtroom concerning the parties, facts, or witnesses in this
26 case?

27 c. Have any of you heard or read anything about the facts, parties, or the individuals
28 involved in this case before today?

- 1 d. Will any of you have any difficulty setting aside anything you have heard or read
2 before about the parties, facts, or witnesses in this case and base your decision as
3 a juror exclusively on the evidence presented through the testimony and exhibits
4 presented in this courtroom, plus the law I will give you at the end of the case?
- 5 12. Have any of you experienced what you believe to have been discrimination,
6 harassment, or retaliation at the workplace? If so,
7 a. please briefly explain the circumstances and how recently that was
8 b. Was there any internal process at your workplace to address such things?
9 c. Did you report the circumstances to anyone such as a supervisor or human
10 resources department?
11 d. Was there any review or investigation?
12 e. Were you satisfied with the outcome?
- 13 13. Have you, a member of your family, or close friends, ever sent in a complaint letter or
14 brought a grievance against a person or company from whom you purchased a product or
15 service?
16 a. Were you satisfied with the process for addressing that dispute?
17 b. Were you satisfied with the outcome or not?
- 18 14. Have any of you ever been a plaintiff or defendant in a lawsuit of any kind?
- 19 15. In this case, a party, attorney, or witness may come from a particular national, racial,
20 or other group that is different from your own.
21 a. Would that fact have any effect on your judgment, or the weight and credibility
22 you would give to the testimony from that party or witness?
23 b. Is there any of you for whom English is a second language? If yes, are you
24 sufficiently fluent in English that you will not need the assistance of a translator to
25 understand the testimony or my questions?
- 26 16. Are there any of you who have religious or moral reasons why you cannot sit in
27 judgment on another person or entity?
- 28 17. Do you recall seeing any news articles about disputes between the City of Burbank

1 and a police officer?

2 a. When and what did you see?

3 b. What do you recall about the substance of the article?

4 18. A fundamental principle in this country is that of equal justice under the law.

5 a. Will each of you agree to apply the law as I give it to you, without concern for
6 whether a party or witness is better off financially, or not as well off, as you?

7 b. Do any of you think that the law should apply differently to persons who have
8 well-paying jobs as compared to those who do not?

9 19. Are any of you members of groups or organizations that support or oppose the use of
10 the court system for certain types of disputes? If so, please tell us about that.

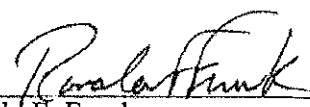
11 20. Are there any of you who think that a plaintiff in a lawsuit is more likely or less likely
12 to be truthful merely because he or she is bringing a lawsuit?

13 21. Are there any of you who think that a defendant in a lawsuit is more likely or less
14 likely to be truthful merely because his or her company is being sued?

15 22. Is there any other reason why you would not be a completely fair and impartial juror
16 in this case, given what you know about the issues and the parties involved?

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18 BURKE, WILLIAMS & SORENSEN, LLP
19 Ronald F. Frank
20 Robert J. Tyson

21 By:


22 Ronald F. Frank
23 Attorneys for Defendant
24 City of Burbank
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